

To whom it may concern,

I would like to ask the senate committee to listen to our pleas and fears regarding the proposed bill.

First, I want to start with the lack of respect of the law. The government does not tolerate illegal immigrants and people who are arriving by boat unlawfully. All that is understandable and fair especially when it has procedures in place for these people to follow. Then, the government wants to keep their applications on hold until it gets further updates and so on... The difference between us is that we have obeyed the rules and have done everything legally. The difference between being legal and illegal is major, as every person agrees. Yet we are treated the same. Where has respect for the law gone?

Allow me to say, as well, that the government has laid down a series of requirements and only if these requirements were met, were we allowed to apply for our residencies. We have all worked so hard for so long to meet these requirements. We have studied for years, we have worked for free for at least a year (and that is a lot to ask from anyone), etc... The list of requirements was clear but did not run short of effort. We were told to put in an application form after we finished our achievements to prove that we had earned our right to be residents. And we have. Our application forms have been sitting on the shelves collecting dust and we were asked to wait without being given any deadlines. It is like waiting for Godot. We were at least promised that our applications will be looked at. My application was lodged on the 1st of May 2008 which brings it close to 2 years and 4 months (by August), and if the bill is passed, then the applications may not be read at all. Every application tells the story of the applicant's life. The least you can do is look at them.

The courses we studied no longer represent the current demand list, but they did at the time they were lodged. Our applications were put on hold due to the global economic environment and now the government wants to pretend that our applications were never lodged and treat our honest hard work as if it never happened. Our applications are being treated like the asylum seekers' applications who came here unlawfully. This is appalling and does not make any sense. If we had been told that our forms would not be considered at the time they were lodged, then it could have been understandable. But to say that 2 to 2 1/2 years later, while we were told all along to wait for our turn, is barbaric. No one has the right to toy with people's lives in this manner.

There are new shortages and it is only fair to keep up to date with the times, which is what has already been done. You changed the demand list. This may have affected current students but, at least, you were forward with them. Now you want to treat us like we never existed. Passing this bill allows the senate to cheat us legally. Not only that, but I called the department of Immigration in Adelaide 3 times (2 months between calls) to enquire about the status of my claim. I was told that a case officer will contact me shortly and the person on the phone would apologize for any delays. They would say they were busy and have a lot of applications. Not once did they mention the fact that our forms were on hold. That is dodgy.

To symbolize our situation, I will give the following metaphor. Imagine you have a piece of land and you hire a builder to develop a house. You give him a clear and detailed plan of the design you want. You tell him that you will pay a certain amount of money for his work once completed.

Around a couple of years later and the house is finished exactly the way you asked and you tell the builder to wait for his money. You keep him waiting for around another couple of years while you have furnished and moved in this house. Then you tell him that you will not pay him anymore because you no longer need this house and it is no longer new. It is not fair and it is not legal. During our never ending waiting period, we were asked not to leave this country. We were living and spending here.

We should not beg to be allowed to stay. We have proven, according to the standards you set, that we deserve to be here. We have earned our right to be here with our own dedication and by following the rules. It is not right that you tell us to go home and be treated like rubbish. We are respectable individuals and families. We are all educated and had our degrees in Australia. Many of us also have university degrees from our countries of origin as well. We are all dedicated workers. We kept the level of unemployment low during the hard times this country faced. We pay our taxes and we spend money here. We paid our tuition fees (which are higher than the regular fees), we pay for bills, accommodation, we buy cars and fill them with petrol. We are the ones who cannot wait to buy our first homes and pay off our mortgages. We have aided the survivors of black saturday. We give back to the community and we give back to this country. We are already living as Australians. We have been for the last few years. Now you want to tell us to go home? Passing this bill is very risky as it may do so based on any term. I would like to quote a line from the second reading of this bill:

### **Application to the general skilled migration visa program**

The amendments proposed in this bill not only provide a power to cap general skilled migration visas and terminate general skilled migration visa applications but are broad enough to allow other classes of visas to be capped.

This is like giving a big spender a blank cheque.

Where is the "FAIR GO" that Australia represents? Where are the Australian values we have already adapted to?

The government is willing to refund us our application fees and the superannuation we have built up during our stay so far. That this just under \$0.5 billion. Is the government willing to pay to get rid of us? How can you do that knowing that every individual has spent possibly \$100k in his/her stay so far. I know for sure that my partner and I have spent well over \$150k in the last 5 years we lived here. And we were told to stay put and not leave Australia while continuing to spend. That is plain robbery. What about the best years of our lives that have now gone to waste?

If we were told that our applications may not be looked at, we wouldn't have gone down that path!! I have mentioned it before and I cannot say it enough: We deserve to be here and we earned our right to live here.

The Migration Amendment Bill 2010 is a result of the freeze-up of our applications. We were told our forms were on hold due to the global financial crisis. How does the fact that our forms on hold help? What does the global crisis have to do with our application? Of course the number of applications has grown! Of course there will be 17,594 current applications for cookery and hairdressing alone. There wouldn't be that many if they are simply being processed as promised. There must be a plan put in place by the department of Immigration to proceed through a particular workflow and try to make the procedure as smooth as possible.

I will quote another part of the second reading for this bill.

**'Conclusion**

This bill represents an important step in achieving the government's objectives of a flexible skilled migration program that can be adapted to the economic and business cycle and the needs of Australian business and industry.'

If you really care about the economic well-being of this country then you would NOT agree that the bill is a good idea. It is going to bite the hand that feeds. In 2009, international students resulted in \$18.6 billion dollars being pumped into the Australian economy. I have based research on information I have requested from the Department of Education. This is a primary source of income for the whole country. Take the scenario where the bill is passed and our applications are at risk. This will automatically drop the \$18.6 billion figure significantly as we will be the scapegoats. No international student will be able to trust the system after it proves that it can, at any time, break.

See this link for information on export income from international education in 2009:

[http://www.aei.gov.au/AEI/PublicationsAndResearch/Snapshots/2010052810\\_pdf.htm](http://www.aei.gov.au/AEI/PublicationsAndResearch/Snapshots/2010052810_pdf.htm)

I know you have your own reasons but take the time to think about this decision and its consequences. It will result in a loss-loss situation. Do not be mistaken, this is not a minor adjustment to the law. This is a major change and amendment. We ask that you find it in your logic to do the right thing rather than to punish us. All that is needed to be done is to have our applications processed legally like they should. We are not asking for something special but merely to be treated fairly and humanely. You are treating us inhumanely and atrociously. Surely, Australia has got to be better than this. We are being hurt and put through anguish. There is a process in place and all we ask for is that this process is respected and followed.

Thank you  
8/6/2010